

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



**CORRECTED
FISCAL NOTE**

SB 211 - HB 709

March 28, 2017

SUMMARY OF BILL: Creates the *Public Safety Behavioral Health Act*. Requires public safety employers to, in addition to any other health benefits offered, provide at least ten visits with a licensed professional counselor for the purpose of treating post-traumatic stress disorder (PTSD) at no cost to a public safety employee. Further requires the employers to: promote the use of licensed professional counselors and other behavioral health professionals to public safety employees; establish, in conjunction with licensed professional counselors, support programs in an effort to mitigate behavioral health issues within the public safety employee community; and maintain, and regularly provide public safety employees with, a list of licensed professional counselors who are qualified to provide trauma therapy under this section.

Prohibits public safety employers from engaging in the retaliatory treatment of public safety employees seeking or utilizing licensed professional counselors or behavioral health programs, including but not limited to, discharge, denial of promotions, punitive work assignments, transfers, or similar retaliatory actions.

Requires licensed professional counselors providing services to public safety employees to participate in training that familiarizes the counselors with the unique problems associated with each public safety profession, including but not limited to, critical incident response training, critical incident stress management, field exercises such as ride-alongs, visits to fire and police stations, and similarly appropriate training.

ESTIMATED FISCAL IMPACT:

On March 14, 2017, a fiscal note was issued for this bill with a fiscal impact as follows:

Increase State Expenditures - \$446,300

*Increase Local Expenditures - \$2,625,000**

Based on additional information provided by the Department of Commerce and Insurance, the fiscal impact has been corrected to reflect that the average counselling session is estimated to cost more than \$75 per session. Therefore, the corrected fiscal impact is estimated as follows:

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(CORRECTED)

Increase State Expenditures – Exceeds \$446,300

Increase Local Expenditures – Exceeds \$2,625,000*

Corrected assumptions:

- Based on information provided by the Department of Commerce and Insurance (DCI), there are approximately 20,000 law enforcement officers and 7,242 career firefighters in Tennessee.
- It is assumed that an average of 3,500 services are provided to public safety employees per year and the average cost per counselling session is at least \$75. The proposed legislation requires that at least ten counseling sessions be offered at no cost to the public safety employee. That would result in a counseling cost of at least \$750 (10 x \$75) per officer.
- Assuming the same average number of services for FY17-18 and subsequent years, the mandatory recurring increase in local expenditures is estimated to exceed \$2,625,000 (3,500 officers x \$750).
- The Tennessee Bureau of Investigation (TBI) has 331 commissioned employees.
- The Department of Safety (DOS) has 909 public safety employees.
- The Tennessee Wildlife Resource Agency (TWRA) has 283 law enforcement officers.
- The Department of Correction (DOC) has 4,426 correctional and probation/parole officers.
- The total number of state public safety employees is estimated to be at least 5,949 (331 + 909 + 283 + 4,426). The average cost per counselling session is estimated to be at least \$75.
- Assuming ten percent of officers seek counseling for PTSD, or 595 (5,495 x 10.0%) officers, the recurring increase in state expenditures is estimated to exceed \$446,250 (595 officers x \$750 for 10 sessions).
- The provisions of the legislation require the benefit to be provided at no cost to the public safety employee; therefore, it is estimated the state will pay 100 percent of this specific benefit.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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